

## POLITICAL PROCEDURE

### Home Rulers Split Over Extra Session.

In the mauka-Waikiki corner of the main floor of the Capitol building there is a little room that has, during the legislative session, been relegated to the typewriter of the House. All day yesterday, behind closed blinds, a select little caucus of Independent Home Ruler Republicans was held. There were Kaine and Kalaupokalani, Akina, Mahoe, Makekani and Beckley, with the addition of other members from time to time. The fact of Makekani having bolted his ticket does not seem to have lost him any favor in the eyes of his fellow-countrymen. Backsliding among themselves apparently is a venial crime with the native party. The caucus proceedings were, of course, held in Hawaiian, but the subject of the conference was the question of who was to present the famous resolution and what was going to be done with the Appropriation session. There is a good case of split in the Home Rule party at present. Several of the longer heads are beginning to think what they will say to their constituents if the necessary money for roads and other improvements is not forthcoming, and consequently do not agree with the hot-headed minority who are desirous of spilling the Appropriation bill out of a mere principle of spite against the Executive. Those who do not wish to cut off their noses to spite their faces have declared themselves as willing to work in amity with the Republicans in order to accomplish results. Senator Russell is to all intents and purposes a Republican today.

Emmeluth has declared his intention of staying at home and attending to the extra session in place of going to the Coast with the resolution. Beckley, on account of sealed orders that were handed him for presentation to the President, still feels umbrage towards the play and repeatedly declared his intention yesterday of not going to the Mariposa as reported. The general thought of the party, however, seems to look upon Beckley's accompanying Delegate Wilcox as a settled thing.

A Loan bill, so drafted that it will be enabled to come under the head of appropriations, is on the tapis. Representative Robertson last night expressed his doubts that such a measure could be carried through the extra session. The Republican party has decided to petition Congress to pass an enabling Act whereby the four-year Senators will be appointed according to the highest number of votes received during the late election. The Governor's action of refusing to grant an extra session is also upheld by a majority of the Republican legislators.

## RACING PROGRAM FOR JUNE 11TH

- At a meeting of the Hawaiian Jockey Club held at the Pacific Club last evening the following program for the 11th of June races was decided upon:
- 1. Union Feed Company's Cup, one-half mile dash, free for all.
- 2. 2:40 class, trotting and pacing, best two heats in three, free for all.
- 3. Five furlongs dash, Hawaiian bred.
- 4. California Feed Company's Cup, trotting and pacing, Hawaiian bred, best two heats in three.
- 5. Six furlongs dash, free for all.
- 6. Rainier Cup, free for all, trotting and pacing, best two heats in three.
- 7. One mile dash, Hawaiian bred.
- 8. 2:24 class, trotting and pacing, best two heats in three.
- 9. Four and one-half furlongs dash, free for all.
- 10. Rosta Challenge Cup, one mile dash, free for all.
- 11. Seven furlongs dash, Hawaiian bred.
- 12. Three-eighths mile dash, free for all.
- 13. President's Cup, one and one-quarter mile dash, free for all.
- 14. Mule race, one mile, free for all.
- The above program is subject to change.
- The second horse in each race will save entrance money.
- The purses have not yet been fixed, except for the free for all trotting and pacing event, for which \$200 will be hung up.
- A 2:15 class has been substituted for the 2:14 class trotting and pacing.
- Next Thursday evening another meeting of the Jockey Club will be held, when the programs for June 14th and 15th will be determined upon.

### Austin Estate Plans.

Negotiations are now pending for the lease of the Austin property on King street, opposite the Advertiser office, whereby the lessees are to put up a fine building extending the entire length of the frontage between the Metropolitan Meat Market and West's paint shop. Orders have been issued by the local representatives of the Austin estate for all persons making use of the vacant property to get off at once. The property will be cleared off and put in presentable shape and cease to be an eyesore, as it has been for the past year.

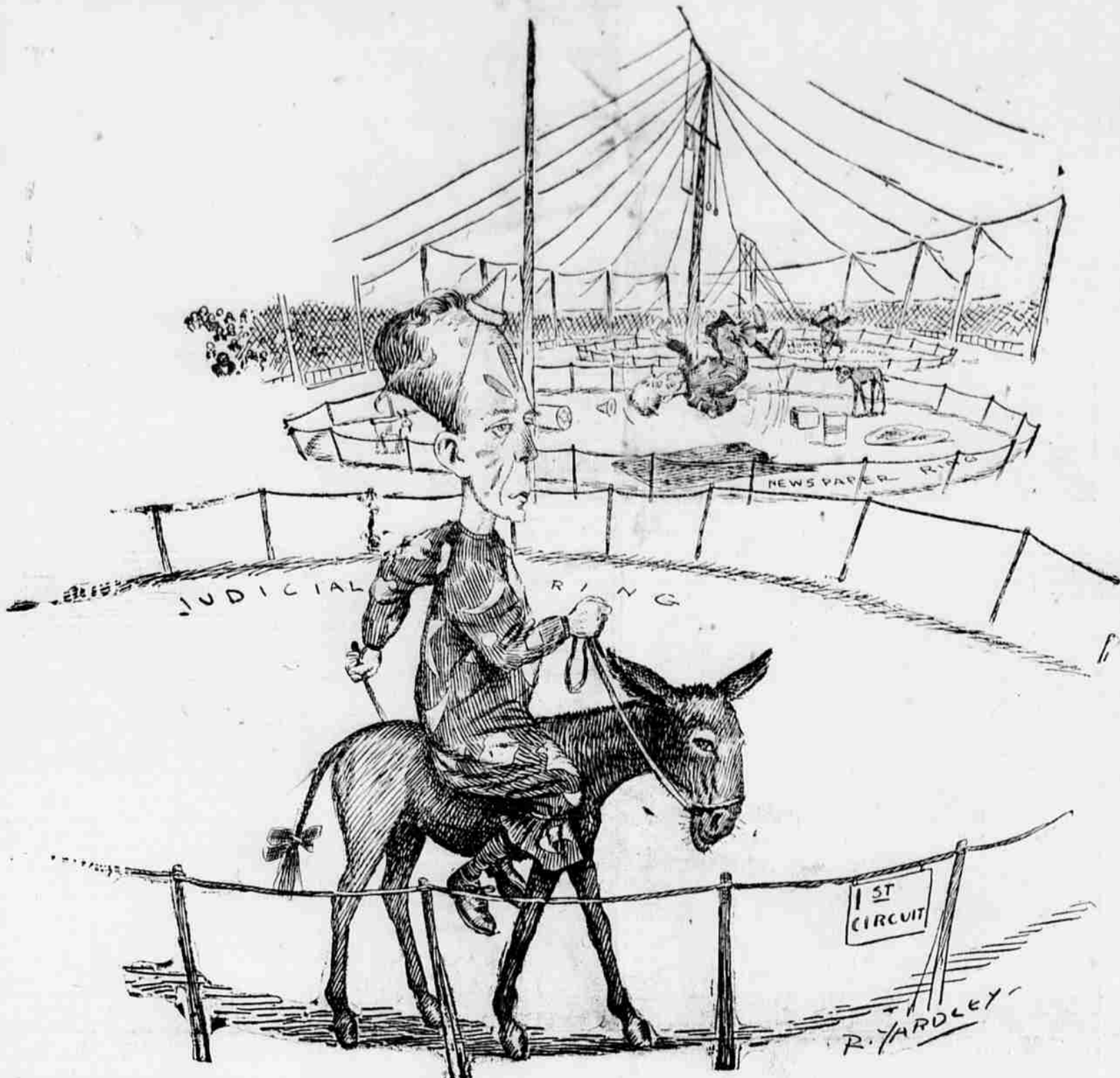
### Vags Arrested.

"Weary Willies" are becoming a nuisance in Honolulu, and "vags" is a word which is becoming quite frequent on the police court blotter. Deputy Sheriff Chillingworth arrested four of the gentlemen of leisure last evening. Two were white and two were American negroes, who gave their names respectively as William Smith, A. Alexander, William Howard and Clinton Gains. All four protested they were able to procure three square meals a day, and that fact alone should convince the police that they were not without "visible means of support." They were locked up for the night.

### MOSQUITOES SPREAD DISEASE.

Prof. Beyer Wants Action Taken to Destroy the Insects. NEW ORLEANS, La., April 25.—Professor George E. Beyer, professor of natural history at Tulane University, delivered a lecture today on the subject of mosquitoes and their relation to disease. With Professor Venable he has made a careful investigation of mosquitoes in Louisiana, and he has found nine varieties, although previous authorities find only five. Prof. Beyer is convinced that the mosquitoes breed malarial fever, sucking the contagion from a malarial patient and dispensing it to a new subject. Professor Beyer is sure that fevers are spread through the bites of mosquitoes, and the only way to avert this evil is to destroy the breeding places of the insects. "How can we do it?" said the professor. "By education and by teaching the public of the dangers, by instruction in the public school, acting through the boards of health and through the press."

## A THREE RING CIRCUS.



## THE FULL TEXT OF UNITED STATES DISTRICT ATTORNEY BAIRD'S NOW FAMOUS SPEECH IN FEDERAL COURT

THE general demand for the stenographic notes of the speech made by United States District Attorney Baird which resulted in the discharge of the full venire of jurors of the Federal Court, leads us to give, herewith, the notes of the official reporter. They are in the form which the District Attorney left them after revision. What portions are omitted or appear now in modified form, the Advertiser is unable to say:

The Court: Gentlemen, are you ready to go on with this case? Mr. Baird: If the Court please, in view of the occurrences of yesterday and especially of last night, with a panel of twenty-four jurors, and we have but one more case to try, I will say that it will be absolutely impossible to obtain another jury for this other case without impressing some of the panel that was on duty yesterday, and recognizing the futility of bringing any more prosecutions under similar circumstances, I ask it in the interests of justice and in behalf of the United States, and I consider it my duty, that the present case be continued for at least two weeks in order that the present panel be discharged and a new panel brought before this Court for the trial of this case; and I therefore move you, if the Court please, that the present case be continued for a period of two weeks.

Mr. Kinney objected and the objection was sustained. Mr. Baird (continuing): Now, if the Court please, under the circumstances it is but proper that I should have made the motion which I did make, and in considering it I do not wish in any wise to reflect upon the Court, nor to have any objection or urge any objection to the ruling of the Court upon this motion; I suppose the Court is right; I will not say that it is wrong in denying the

motion. In my opinion I felt a conscientious discharge of the duties devolving upon me to demand that I should make that motion, because I consider that it would be simply a travesty of justice to bring this particular trial before this particular Court and this particular panel of jury; not that this particular panel, because there are twenty-four names upon that panel, to my recollection; my remarks do not and cannot possibly extend to but at least twelve of that panel.

Now I ask that the case be postponed, in order that the case at bar be tried out of another panel, the Court has in its wisdom denied my motion. That leaves but one other resource, and I now want to move this Court that a nolle prosequi be entered as to the defendant at bar. It is, however, proper that I should give to the Court my reasons for making this motion, which takes this case out of consideration, and so far as the defendant is concerned leaves him fully as free as he was on the day before he was arrested. It is incumbent upon me that I should explain this publicly and before the Court my reasons for making this motion.

This is the first term that a court has been held under the auspices of the United States of America in the Territory of Hawaii. We came before the Grand Jury with evidence, which to it was amply sufficient to justify it in finding an indictment and pleading to those charges; the pleadings by the Grand Jury were sufficient to justify the defendants in pleading not guilty; they were put on trial; they were submitted to a jury and the exemplification of yesterday demonstrates to me as the prosecuting officer of the United States, it seems, for the present at least, that it is absolutely worse than useless to attempt to have a conviction in a case where the United States is prosecutor.

I will say, if the Court will permit, I think I have a right to say it, there is nobody's liberties involved; there is no-

body's welfare at stake that I shall speak of here, and the facts justify me in saying; in all the years of my experience at the bar, either as prosecuting officer, and I may be permitted to state that I have twice previously been the prosecuting officer for two successive terms—in all my professional experience at the bar, either as a prosecutor or as a defender of criminals, that I have never seen a case which was a clearer case and the merits of which were more clearly brought out than the one that was disposed of by the jury upon yesterday; never was a case to my mind or to my judgment, although I may have been mistaken, but I am justified in speaking of my own mind—I am simply individually responsible for what I say; nobody else is responsible for what I say; nobody else is to talk for me, and nobody else is answerable; nobody but myself; and I shall make answer for what I say—I have never in my life beheld a case which clamored for justice more than the case that was disposed of before this Court yesterday. We beheld here, as I think, testimony that was utterly uncontradicted, testimony that bore an impress of truth upon its face, testimony that seemed to require conviction from fair-minded and fair men, and then see a case of that character where the circumstances and evidence which were actually uncontradicted, there should have been a miscarriage of justice such as there was, I say that under circumstances of that character that for one, while we will no longer continue to make travesty of justice and ask that any conviction be had under similar circumstances—I can acquit, I can move to do it. It seems to me that it may be the roar against the power of the General Government. It would simply add to the contumacy that may be heaped upon it if I insist that the case go on, under the circumstances as they exist today. I wish to add for my individual self, of course, I may have had some limited experience and may be, perhaps,

biased somewhat in this matter; I may not perhaps speak with that degree of calmness that would ordinarily cause men to talk under the circumstances, but then I say, if the Court please, and I say honestly and conscientiously, that in the face of proceedings such as these it is worse than a travesty of justice to bring men to pass upon crimes such as this when conviction cannot be had—the crime absolutely uncontradicted. Therefore, I feel and say in order to save the United States Government such scenes as we have had, it is my solemn duty to move this Court to enter a nolle prosequi, to discharge this defendant and set him at his liberty. And, furthermore, I move that the present panel be discharged.

The Court: Any other case to be tried?

Mr. Baird: No, sir.

Mr. Kinney: I ask before this is disposed of—

Mr. Baird: I don't think that this gentleman has anything to do with this case.

Mr. Kinney: I ask to be heard whether I have anything to do with it or not.

Mr. Baird: I say that you have nothing to do with it.

The Court: No, sir.

Let the defendant be discharged and the bond, if he has one, discharged. You can go free, Mr. Walsh.

Gentlemen of the Jury, you are discharged for the term.

The Court wishes to say he most heartily endorses much that the District Attorney says about the decision yesterday.

Mr. E. R. Adams: Have we any chance to make a few remarks in regard to it?

The Court: No, sir; you made your remarks in the jury room.

I do hereby certify that the foregoing is a full, true and correct copy of the testimony and proceedings taken by me on the trial of the above action.

C. F. REYNOLDS, Official Reporter, United States District Court, Territory of Hawaii.

"Nora, I can't get into the parlor."

"Sure, it's meself knows that, and yer won't with the key in me pocket."

"Open the door immediately."

"Will yer go in if I do?"

"Certainly I will."

"Then yer don't get the key."

"Open the door immediately! What do you mean?"

"Sure, it's by your orders."

"My orders?"

"Yes. Yer said yesterday, 'Don't let me come downstairs in the mornin' and see any dust on the parlor furniture.' So I just puts the key in me pocket, and says I, 'Then she won't.'"—Buffalo Enquirer.

## PRIEST AND MUSICIAN

### Father McLaughlin Lectures on Music.

The musical lecture delivered by Father J. T. McLaughlin of New York in the rooms of the Catholic Benevolent Society last night proven most entertaining.

The reverend father is of almost military carriage, apparently in the prime of life; his hair is turning slightly gray, with a florid complexion and mobile, clearly cut features. Singing, to his own accompaniment, with equal facility, in French, Italian, German and Latin, he has a rich, high baritone of peculiar sweetness and great compass, the full power of which was reserved, however, last evening.

The Bishop of Panopolis introduced the lecturer to his expectant audience, and in fluent speech the lecturer proceeded:

"Monsignor, I am thankful to your lordship for the invitation so kindly extended me tonight to speak to these dwellers in your beautiful Islands, for a little while. The subject of my talk is one, I am sure, dear to all Hawaiian hearts—music. In all the wide scope of music's powers nothing appeals more closely, more quickly to the very heart-strings than the folk songs of a country, not even a thorough understanding of the works of such masters of harmony as Wagner can assist in bringing out our real feelings as these songs of the country. Music is the outpouring of our natural expressions; we have all experienced the universal wish to compose something beautiful when listening to some well-rendered piece of music. The power of song, whether with or without music, affects the human breast as no other power can. The words are often foolish, as in 'Dixie' with its lively music and trashy words yet, thirty years after the Civil War, the playing of 'Dixie' in a Southern community will arouse an enthusiasm that shows the onlooker that to them the music of 'Dixie' is a melody attuned to their heart-strings."

"I had the pleasure of meeting Colonel Roosevelt some time ago and he told me of the power that music possessed to bring back to his jaded soldiers the springy step and upright head. When the troops lagged, the present Vice President ordered the band to play, and the time that sent them up-hill in a quick step was not 'Columbia,' not 'The Star Spangled Banner,' but 'There'll Be a Hot Time in the Old Town Tonight.'"

"Even in the midst of business a passing band will set the foot to tapping; the voice to humming, if it does not draw us to the windows and doors. Even an old cart horse will often prick up his ears, lift his head and cavort around."

The speaker went on to speak of the foundation of all good church music in the simple harmonies of St. Ambrose and St. Gregory in the fourth and sixth centuries, illustrating it with a 'Salve Regina' of the eighth century in the time of Charlemagne.

"Outside of the church the oldest records of music come from Ireland. Bigot historians have omitted the claims of Ireland, Scotland and Wales, and declared in favor of the French troubadours, Italian trovatores and German meistersingers, who in reality came hundreds of years after Ireland was renowned for its music, its poetry and harp. The ancient banner of Ireland bore the harp as the emblem of the only land that dared claim it for her right. Not all historians have slighted her claims, however, as the witness of the eminent Montalambert will testify."

"Eileen Aroon," the melody which Handel is said to have wished he had composed rather than all his oratorios, was sung as a selection of the oldest of Irish airs to the words of Moore commencing 'Erin the tear and the smile in thine eye,' and was followed by 'The Harp That Once Thro' Tara's Halls.'"

"Scotland, with an almost equally ancient musical history, furnished as an example 'The Land o' the Leal.'"

Father McLaughlin commented on the word Celt as applied to the Irish and Scotch, a word meaning singer.

Italy was represented by a Neapolitan barcarolle and the well-known 'Funiculi Funicula,' the singer using the Italian and translating for the benefit of his audience.

Italy was named by the lecturer as the modern nation that had advanced the most among the more modern nations, producing numberless folk songs.

America came last with Foster's 'Swanee River' and a pretty darkey lullaby, 'Doan You Cry, Ma Honey.' Father McLaughlin is not in favor of rag-time, calling it irreproachable music.

Mr. Alapai, accompanied by Father Valentin, sang 'Aloha Oe' for the benefit of the lecturer, and a rising vote of thanks was then tendered to Father McLaughlin for his entertaining lecture.

The priest returns on the next steamer to the Coast, where he will lecture at Stanford and at the Berkeley Deaf and Dumb Institute. Only one thing was disappointing in Hawaii to the priest-musician—he found it too Americanized, even a trip to Hawaii not bringing out the phases of inner native life and music that he had hoped to find.

A new type of shortened telescope has been tried by M. E. Schaefer at the Observatory of Geneva. To facilitate the use of long focus objectives, the light from the object glass is reflected backward and forward from two silvered plane mirrors, so that the distance between eyepiece and objective is only about one-third the focal length. The instrument seems to have proven very satisfactory.

London's smoke-cloud is fed by an estimated daily waste of 6,000 tons of coal. Sir W. Richmond states that the cloud is distinguishable at Lockinge, sixty-four miles from London, and in its passage a distinct column is left upon the soil.